

(13)

13 total
pages

Brandon D Bradley Sr
Plaintiff (Brittney Bradley)

VS

Leigha Weber et al
Defendant

20-C-48
J.D.P.

Motion to File An Amended Complaint

Plaintiff Brittney Bradley pursuant to Rules
15(a) and 19(a) Fed.R.Civ.P., request leave
to file an amended complaint

The court should grant leave to file
a complaint. Forman v Davis 371 U.S.
178, 182 (1962)

Brandon D Bradley

6-3-20

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In the United States
Western District of Wisconsin

13 total
pages

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Supplemental Jurisdiction

Pursuant to 28 U.S.C. § 1367 28 U.S.C.
Section 1331, 1343, 28 U.S.C 1391 (b)(2)
this court is granted supplement juris
diction and venue to hear both state
and federal claims.

Brandon D Bradley
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①

In Feb 2019 I was [REDACTED] emergency prc'd from WCI to CCI. When I was emergency transferred it clearly stated that I was identified under 500.70.27 and was suppose to be managed under that policy as a trans woman. When I was prc'd the security director of WCI talked to Lucas Weber to prepare for my arrival. Due to the clear discrimination by Kevin Kallas and his PSU dept in Waupun and CCI I was put in h arms way of homophobic inmates and becoming a victim. As part of policy 500.70.27 transwomen are suppose to be single celled due to being R.O.V. (risk of victim). For a breif period I was single celled. When I arrived to CCI Ds1 was closed and Ds2 was the only seg building open. Lucas Weber knew they did not have the proper accomidations and housing

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and made the reckless decision to accept me as a inmate. Anybody with single cells were stripped of their accommodations, and if they refused cellmates they were physically assaulted and walked down the hall nude. My health was in horrible condition and my biggest fear was being walked nude down the hall. Mid Mar Sgt Price came to my door and said "Bradley your getting a cellie". I said what happens if I don't, he said "your going on control naked. The cellie that he was referring to was Orion Gutowski a openly gay inmate. I had not come out to the other inmates yet. Security knew that I was LBGTA and that I had not come out yet, and knew that I was going to be harassed. Sgt Price made himself crystal clear that CCI

③ doesn't like inmates who assault staff. At the time I was pending charges against 2 WCI staff members that I was acquitted of. I exercised my 6th and 7th amendment right to jury trial. The common link between WCI and CCI seg staff are blue shirts, badges, and stripes. He also made it crystal clear that if you get in a fight in CCI they don't spray the fighting inmates, they spray their property. I'm a pro-se litigator and took that as a threat against my safety and property for fighting criminal charges against WCI staff and that is retaliation of my first amendment right to peaceable protest freedom of speech. It also was a fourteenth amendment violation of my due process rights. He (Price) took the law into his own hands and put my health and safety at risk. Against my better judgment I took Mr Gutowski as a cellmate. We were in a single

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cell designed for one inmate. Before 3rd Shift + Sgt Price moved us to a double bunk cell. Other inmates began to name call and harass us. I entrusted Orion and showed him my civil and criminal paper work regarding the ongoing issues at WCI and he began to threaten to out me had access to my mail, and said he was going to jump on my cases. I was in no physical, mental condition to combat him due to being severely ill and gave in against my will. We argued daily and I told him I wanted him out my cell. I secretly began to write Dr Gambaro and explain to her about the forced sex favors, inmates being attacked by security and dragged nude down the hall. She wrote me back saying I was never identified under 500.70.27 and self identifying is not enough for single cell consideration. She told me to write security which I did, along with PSU and the ICE Dept. Because of her deliberate

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indifference to my safety and failing
to intervene I began to write the ICE
Dept. Orion was abruptly moved to Unit
5 and my ICE was forwarded to Warden
Susan Novalk after 5 days. Also
during that time I wrote a terrorist
threat to PSU to kill staff at WCI
and Dodge Co Sheriffs Dept and
that slip was forwarded to Capt Pitzen. While
he and the Columbia County Sheriff
S interviewed me I told him that Orion
forced me into sex acts. He then forwarded
me to HSU. Nurses Gibbons
and Frank did a subpar exam which
was not even close to being in compliance
with Sane or the P.R.E.A.
Standards. The made a "phone call"
to U.W. hospital and informed me they
refused to accept me and that they
would provide "antibiotics to kill
STI's". The more logical reason
was Nurse Gibbons, Frank, and

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everybody housed and employed at CCI knew I was severely ill and I strongly ~~suspect~~ if sent to the hospital I would have tested positive for mercury which has symptoms of cancer which I was in remission from. UW hospital would have been forced to report my appearance and illnesses to the federal government. I began the antibiotics and felt very ill at night. I'm highly sensitive to meds and ~~■~~ should be monitored in patient to ensure no reactions. Orion was brought back to Ds 2 where he was housed directly down the hall from me with our investigation pending. He and other inmates would harass me daily. I was forced to take a cellmate with a open P.R.E. investigation. ~~■~~ Due to him being my cellmate we had to shower

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together and it was very humiliating to endure. My P.R.E.A rights were violated all the way around the board. Capt Pitzen pulled me out to sign a DNC (do not consent) I refused because I had already endured enough and told him I would persue the issue on the streets that I made my peace with GOD due to me being gravely ill. Leigha Weber is the state P.R.E.A. coordinator and is in charge of operations, employees, equipment, institutions under her supervision. She is the #1 defendandt because she is suppose to properly train her staff to deal with trans women. I present as masculine with manly traits. I identify as a non conforming bi sexual trans non conforming inmate and openly LBGTQI As a member of this [REDACTED]

protected class of inmates I enjoy more rights and privacy than heterosexual males. Because of my contradiction of the D.O.C. idea of transwomen Warden Novak, Weber (Leigha) Weber (Lucas) Gambaro, Kallas, Price, Pitzner, Frank, Gibbons assumed that I was manly and should defend myself instead of taking proper precautions to ensure my safety. They clearly violated my 14th amendment equal protection rights by engaging in reckless, discriminating behavior. The above named defendants were also negligent by not ~~maintaining~~ maintaining ~~the~~ safety and security. The D.O.C. has a format of transwomen that is outdated and needs to be updated. I suffered mental, physical emotional pain and suffering due to the actions of staff listed in this Complaint, also when I wrote the ICRS examiners Glass and Odonov

an who failed to intervene and take immediate action to remedy the danger and harm and was deliberate indifferent to my needs also. Novak ordered Odonovan to reject a properly formatted P.R.E.A. complaint in this case also regarding having a cellie with a open P.R.E.A. case

Leigha Weber, Lucas Weber, Gibbons, Frank, Gambaro, Price, Pitzel, Novak, Glass, Odonovan were deliberately indifferent to plaintiff's serious medical needs by not providing proper health care, accommodations, mental health treatment after a rape violating plaintiff's 8th amendment rights causing pain, suffering and injury

Lucas Weber, Novak, Price, Gambaro, Pitzel, Glass, Odonovan failed to protect when they became aware of rape and did not correct the action violating plaintiff's 8th amendment rights causing pain, suffering, and injury

Claims

⑨

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Sgt Price violated plaintiff first amendment right to fight ■ staff assault charges in criminal court, and remaining quiet about being LGBTQI causing injury

Sgt Price violated plaintiff 14th amendment due process rights by retaliating, acting on behalf of WCI, trying to intimidate plaintiff about being LGBTQI depriving plaintiff of life, liberty and property.

■ Leigha Weber, Lucas Weber, Novak Price, Gibbons, Frank, Gambaro, Pitz en, Glass, Odonovan are in violation of plaintiffs 14th equal protection rights as a LGBTQI inmate ■ by not providing proper healthcare, treatment, and housing to protect plaintiff depriving plaintiff of life, liberty and property.

(11)

By not having her staff properly trained to deal with LBGTQI inmates and P.R.E. A, Leigha Weber is negligent under state tort law

Relief

☒ Jury Trial

\$2,000,000 monetary \$1 nominal \$900,000 punitive damages

~~_____~~ Compliance with P.R.E.A. Standards

Verification

Pursuant to 28 U.S.C. § 1746 I declare this complaint true and correct

Brandon D. Bragg
6-3-20